

DETAILED ACTION

1. According to paper filed on August 20, 2009, the applicants have filed a RCE of allowed application.
2. Claims 1-13, 17 and 19-21 are pending in the application.
3. It is of note that claims 17, 20 and 21 were amended by an examiner's amendment in paper mailed on Jan. 15, 2009.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance:

Claims 1-13, 17 and 19-21, renumbered as claims 1-17, are allowed since the instant compounds of formula (I), pharmaceutical compositions containing these compounds and methods of treatment using these compounds are neither disclosed nor obvious over the prior art. In the prior art, Ujjainwalla (WO 02/068388, cited on applicants form 1449) discloses piperidine compounds (see pages 18-22) which are closely related to instant compounds. However, the compounds of Ujjainwalla differ from the instant compounds in lacking instant -OR₄ group attached to the phenyl ring and furthermore, there is no teaching, suggestion or motivation in the prior art to modify the compounds of Ujjainwalla to prepare the instant compounds.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charanjit S. Aulakh whose telephone number is (571)272-0678. The examiner can normally be reached on Monday through Friday, 8:30 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janet Andres can be reached on (571)272-0867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Charanjit S. Aulakh/
Primary Examiner, Art Unit 1625